

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA, CR 05-1849-JH

Plaintiff,

vs.

JORGE LUIS ORTIZ-MOFFETT.

Defendant.

NOTICE OF NON-AVAILABILITY

Counsel for Defendant Jorge Luis Ortiz-Moffett hereby gives notice to the Court that he is unavailable on the following dates should the Court grant Defendant's Motion to Continue Sentencing filed this date:

March 1, 2010

March 9-16, 2010

DATED this 26th day of January, 2010.

LAW OFFICES OF ARMAND SALESE, PLLC

/S/Armand Salese

Armand Salese

Attorney for Defendant

I certify that I electronically transmitted the foregoing document to the Clerk's Office using the CM/ECF System on January 26, 2010.

/S/Vicki Adams

Vicki Adams

Assistant to Armand Salese